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Attorneys for Defendants Red Head, Inc., Skyy Spirits, LLC,
Sammy Hagar, and Marco Monroy

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

ZONE SPORTS CENTER, LLC, a California limited liability company; FRESNO ROCK TACO, LLC, a California limited liability company; MILTON PETER BARBIS, an individual.

Plaintiffs,

V.

RED HEAD, INC., DBA Cabo Wabo Enterprises, a California Corporation; SKYY SPIRITS, LLC, a California limited liability company; GRUPPO CAMPARI, a business of unknown corporate status; SAMMY HAGAR, an individual; MARCO MONROY, an individual; and DOES 1 through 10, inclusive.

Defendants.

CASE NO. CV-01833-AWI-SMS

**STIPULATION AND ORDER RE
BRIEFING AND HEARING SCHEDULE ON
PENDING MOTIONS TO DISMISS**

Judge: Judge Anthony W. Ishii
Magistrate Judge Sandra M. Snyder

Plaintiffs, defendants Red Head, Inc., Skyy Spirits, LLC, Sammy Hagar, and Marco Monroy, and the defendant improperly sued as "Gruppo Campari" stipulate with respect to the following facts.

A. Defendants Red Head, Inc., Skyy Spirits, LLC, Sammy Hagar, and Marco Monroy have filed a motion to dismiss under Rule 12(b)(6) and a motion to dismiss or transfer for improper venue that are now pending for hearing on January 10, 2011.

1 B. The defendant improperly sued as "Gruppo Campari" has also filed a motion to
 2 dismiss under Rule 12, also scheduled to be heard January 10, 2011.

3 C. Counsel for plaintiffs is scheduled to appear in the Eastern District on a separate
 4 matter on January 24, 2011.

5 D. For the convenience of the parties' counsel, the parties have conferred and agreed to
 6 the following amended schedule for briefing and hearing of the pending motions as follows:
 7 plaintiffs' oppositions to all pending motions shall be due on or before January 3, 2011; defendants'
 8 replies on the pending motions shall be due on or before January 17, 2011; the pending motions
 9 shall be set for hearing on January 24, 2011 at 1:30 p.m.

10 NOW, THEREFORE, SUBJECT TO THE COURT'S APPROVAL, THE PARTIES
 11 STIPULATE AS FOLLOWS:

12 1. Plaintiffs' oppositions to all pending motions shall be due on or before January 3,
 13 2011; defendants' replies on the pending motions shall be due on or before January 17, 2011; the
 14 pending motions shall be set for hearing on January 24, 2011 at 1:30 p.m.

15 Dated: December 6, 2010

16 Dated: December 6, 2010

17 JEFFER, MANGELS, BUTLER & MITCHELL
 JAMES WESLEY KINNEAR

LAW OFFICES OF RICHARD HAMLISH
 RICHARD HAMLISH

18 By: /s/
 19 James Wesley Kinnear
 20 Attorneys for Defendants Red Head, Inc.,
 Skyy Spirits, LLC, Sammy Hagar, and
 Marco Monroy

By: /s/
 Richard Hamlish
 Attorneys for Plaintiffs

21 Dated: December 6, 2010

22 DURIE TANGRI LLP

24 By: /s/
 25 Ragesh Tangri
 26 Attorney for defendant
 Improperly sued as "Gruppo Campari"

ORDER

GOOD CAUSE APPEARING, the foregoing stipulation is approved.

Plaintiffs' oppositions to all pending motions shall be due on or before January 3, 2011; defendants' replies on the pending motions shall be due on or before January 17, 2011; the pending motions shall be set for hearing on January 24, 2011 at 1:30 p.m.

SO ORDERED.

DATED: 12/14/2010

/s/ ANTHONY W. ISHII
UNITED STATES DISTRICT COURT
JUDGE ANTHONY W. ISHII

JMBM
Jeffer Mangels
Butler & Mitchell LLP